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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Po-Hui Lin : Group
Serial No: 10/600,423 : Art Unit #3728
Filed: 23 June 2003 : Examiner:
Title: SPINNER BAIT LURE BOX : B.P. Gehman

TRANSMITTAL OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant, by the undersigned Attorney, hereby submits two (2) Terminal Disclaimers to obviate two obviousness-type double patenting rejections made in the Official Action dated 13 October 2004. Applicant is submitting a first of the Terminal Disclaimers to obviate an obviousness-type double patenting rejection over Applicant's prior Patent 6,427,834, and a second Terminal Disclaimer to obviate the obviousness-type double patenting rejection made over Applicant's prior Patent 6,766,610.

A check in the amount of \$130.00 is hereby enclosed to cover the filing fees associated with the two Terminal Disclaimers, each Terminal Disclaimer having a filing fee of \$65.00. If there are any further fees necessary in this filing,

MR1715-69
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Reply to Office Action dated 13 October 2004.

the Director of Patents and Trademarks is hereby authorized to charge Deposit
Account #18-2011 for such additional charges.

Respectfully submitted,
For: ROSENBERG, KLEIN & LEE



David I. Klein
Registration #33,253

Dated: 12 Jan. 2005

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(410) 465-6678

Docket Number (Optional)
MR1715-69**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

In re Application of: Po-Hui Lin

Application No.: 10/600,423

Filed: 23 June 2003

For: SPINNER BAIT LURE BOX

The owner*, Po-Hui Lin, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,427,834 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

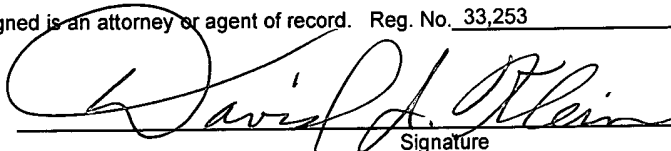
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,253


Signature11 Jan. 2005
DateDavid I. Klein, Reg. No. 33,253
Typed or printed name(410) 465-6678
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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04586

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.